



E C C P
**European Coordination
of Committees
and Associations
for Palestine**

EU MUST ACT TO STOP THE GAZA BLOCKADE IMMEDIATELY AND UNCONDITIONALLY:

1. Apartheid and Gaza's deepening crisis: a humanitarian, economic and environmental disaster

The state of Israel imposes systematic control and domination over Palestinian people across historic Palestine, a policy that is increasingly recognized to constitute apartheid imbedded in a discriminatory legal system ^{1,2,3,4}.

The Gaza Strip, a 365 square kilometer enclave, has been under Israeli occupation since 1967 and under a tight blockade by Israel since 2007 ¹ by land, air and sea. By maintaining total control over the land and all aspects of Palestinian life in Gaza, Israel exercises its most extreme form of apartheid and persecution there. In this densely populated area 2.3 million people have been kept captive and deprived of basic human rights for 15 years.

This blockade impacts all aspects of the population's daily life and consolidates the territorial and political fragmentation of Palestine, undermining dignified life and self-determination for the people.

Severe and continuous restrictions on freedom of movement for people and goods, loss of agricultural land and fishing zones by an arbitrarily declared "Access Restricted Area" have dramatically affected economic activities and thrown Gaza's economy into sharp decline ⁵. Egypt's frequent closure at its border with Gaza contributed to a tighter blockade. Most of the people in Gaza have lost their livelihood. Farmers and fishermen are routinely shot at while trying to access their land and sea.

Periodic military offensives by Israel have been a constant factor over the years. The four major attacks (2008-2009, 2012, 2014 and 2021) together with the military assaults on the Great March of Return (from March 2018 to the end of 2019), caused a staggering human and material loss (Annex). The most basic human rights, such as the right to life, freedom and safety, have been denied to the Gaza population. Beside the human toll, the destruction of livelihoods and civilian infrastructure - such as power plants, water and sanitation facilities, houses and businesses - affect every aspect of daily life for the entire population, leading to the collapse of essential services. The combined impact of an unprecedentedly lengthy period of blockade, aggravated by cyclical military offensives on the economic, social and environmental aspects of life, has been catastrophic leading to radical de-development. Restriction on construction materials made reconstruction efforts impossible. This man-made disaster has been documented in numerous reports by the UN and various NGOs. As far back as 2015, the UN warned that Gaza would be uninhabitable by 2020⁶.

¹ The tightening of the blockade already began in 2006 immediately after the election victory of Hamas, whereas official declaration of Israel to designate the Gaza strip as "hostile entity" took place in 2007

All these consequences were not accidental but are a systematic and deliberate policy to maintain political and territorial fragmentation of Palestine⁷. It is part of Israel's strategy of "demographic engineering" to achieve a Jewish majority in the rest of historic Palestine⁸.

The May 2021 assault was particularly devastating, since it hit Gaza as it was struggling under the shadow of the COVID-19 pandemic and previous rounds of destruction. Hospitals were already strained in the middle of a chronic crisis with a shortage of medicines, equipment, resources, training and space. Numerous reports emphasize the cumulative effects of prolonged traumas, particularly those inflicted on children who constitute 50% of Gaza's population. Aid agencies, including the World Bank, issued unprecedented statements calling for systematic policy efforts⁹, a clear sign for a shift in perspective.

2. War crimes and crimes against humanity

The blockade and indiscriminate military attacks on Gaza constitute a collective punishment, a war crime under the 1949 Geneva convention and forbidden by international law (1977 Additional Protocol II). It is an integral part of Israeli policy to perpetuate ethnic dominance, defined as a crime of Apartheid and a crime of persecution, which both fall under the category of crimes against humanity and are documented in recent reports by human rights organizations^{1,2,3,4}.

During the four military operations, hospitals, schools, medical personnel and journalists were also targeted, which constitute war crimes. Unarmed protesters during the Great March of Return were met with brutal military repression, again resulting in high mortality and injuries, and again including children, women, elderly people, medical personnel and journalists¹⁰. These war crime allegations are documented in volumes of reports including those by the UN¹¹. The International Criminal Court (ICC) is currently investigating these numerous allegations¹². It is clear that Israel disregards its obligation as the occupying power to guarantee the safety of people under occupation.

Israel tries to justify its policy by citing "security concerns". However, depriving 2.3 million civilians of their basic human rights, destroying public infrastructure and private property, shooting protesters, farmers and fishermen, has nothing to do with security, but is clearly designed as punitive measures. Israel's narrative of "self-defence" is not backed by any legal standard. International human rights norms prohibit the use of lethal force except in situations when it is necessary to prevent an imminent threat of death or serious injury¹³. Indiscriminate aerial attacks on residential areas, intentional targeting of civilians and civilian infrastructure, targeting unarmed protesters (including disabled people), doctors and journalists at work who are clearly marked as such, cannot be justified as "self-defence".

There is no justification for these war crimes and crimes against humanity committed by Israel against the Palestinians. All of these are clear violations of international law. Nevertheless, total impunity is enjoyed by the government of Israel and by those directly responsible for perpetrating these crimes. Lack of accountability is the major factor that perpetuates this man-made disaster. After 15 years, the status quo of injustice and the blockade cannot continue. The Israeli rhetoric of conveniently blaming "the terrorists" does not wipe out the allegations of war crimes and crimes against humanity

3. An urgent need for a change of perspective from the international community

These alarming conditions, which have finally been acknowledged as impossible to repair under the blockade, need a change of perspective from international actors; from ad hoc "emergency support" to a sustainable redevelopment. The current vicious circle of destruction by Israel and emergency reconstruction by international donors has proven to be futile and amounts to a continuing denial of freedom and self-determination of the population.

Although needed, emergency relief alone cannot grant long term viability and reconstruction. Worse, it makes the international donors an unwilling partner in crime by contributing to the perpetuation of this absurd cycle. UN institutions, special rapporteurs and numerous NGOs have

expressed the need for “tackling the root cause”, identified in the blockade and relentless destruction, and have called for a “serious political effort”.^{14, 15}

The intolerable suffering inflicted upon Palestinians held captive in Gaza has reached its breaking point. Urgency is paramount and justifies no further delay in taking political decisions to lift the blockade.

The time has passed for the international community to blindly accept the deceptive excuse of “Security” which lacks any legal basis¹¹. The security of Israel can only be achieved when the security of Palestinians is also guaranteed. This means the end to injustice and persecution. 15 years of failure in Gaza (or 54 years in the Occupied Palestinian Territory) compels the international community to adopt a radical paradigm shift guided by principles of international law. This is the path also suggested by the UN expert group¹⁶.

4. Our demands and recommendations to the EU and member states

We demand that the EU and its member states uphold their moral and legal obligations and work towards the immediate and unconditional lifting of the blockade of Gaza guided by the principles of international law, and therefore:

1. Recognize the crime of apartheid and the illegality of endless Israeli military occupation.
2. Respect the legitimate and unalienable rights of self-determination of Palestinian people.
3. Acknowledge that the situation of the Palestinian people in Gaza is so catastrophic that no conditions can be accepted from the occupying power, Israel, for it to lift the blockade. Recall that the blockade has brought no security for either Israel or Palestinians.
4. Demand the government of Israel, the occupying power, to lift the blockade immediately and unconditionally including:
 - a.a. Unrestricted passage of people and goods between Gaza and the West Bank and the rest of the world,
 - a.b. Removal of the Access Restricted Area and of restrictions on fishing zones.
5. Include these demands as conditions in all agreements in all political, diplomatic, cultural and economic relations with Israel. Prepare a mandatory timeframe with verifiable intermediate steps. Adopt the principle of sanctions if the timeframe is not respected.
6. Call on the Egyptian authorities to further facilitate the movement of persons and goods to and from the Gaza Strip and put an end to any restrictive measures.
7. Establish discussion channels of direct dialogue with all the Palestinian counterparts to facilitate the furthering of the process.
8. Ensure accountability by supporting the International Criminal Court and all investigations into war crimes and crimes against humanity, including those by the UN special rapporteurs and by the special commission of UNHRC.

These action points will allow the EU to end its complicity in grave violations of international law, and honour its own commitments and standards.

5. REFERENCES:

1. https://www.btselem.org/publications/fulltext/202101_this_is_apartheid
2. <https://www.hrw.org/report/2021/04/27/threshold-crossed/israeli-authorities-and-crimes-apartheid-and-persecution>
3. <https://www.amnesty.org/en/documents/mde15/5141/2022/en/>
4. <https://www.mezan.org/en/post/24084/The+Gaza+Bantustan%E2%80%9494Israeli+Apartheid+in+the+Gaza+Strip>
5. https://unctad.org/system/files/official-document/a75d310_en_1.pdf
6. https://unctad.org/en/PublicationsLibrary/tdb62d3_en.pdf
7. <https://www.jpost.com/Arab-Israeli-Conflict/Netanyahu-Money-to-Hamas-part-of-strategy-to-keep-Palestinians-divided-583082>
8. <https://www.irishtimes.com/opinion/sharon-maintains-control-in-face-of-demographic-shift-1.482484>
9. <https://www.worldbank.org/en/country/westbankandgaza/publication/the-gaza-2021-rapid-damage-and-needs-assessment-june-2021>
10. https://www.unrwa.org/sites/default/files/content/resources/gaza_gmr_one_year_on_report_eng_final.pdf

11. <https://www.un.org/unispal/document/two-years-on-people-injured-and-traumatized-during-the-great-march-of-return-are-still-struggling/>
12. <https://www.icc-cpi.int/Pages/item.aspx?name=210303-prosecutor-statement-investigation-palestine>
13. <https://www.hrw.org/news/2018/04/03/israel-gaza-killings-unlawful-calculated>
14. https://unsco.unmissions.org/sites/default/files/security_council_briefing_-_30_august_2021_0.pdf
15. <https://www.amnesty.org/en/petition/end-the-violence-in-occupied-palestinian-territories>
16. <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=27102&LangID=E>

ANNEX

Summary of the military attacks on Gaza

Summary of victims of military attacks on Gaza since 2008

	Dec 2008-Jan 2012 military attack	Nov 2012 military attack	July-Aug 2014 military attack	March 30, 2018-June 15 2019 March of return *	May 2021 **
<i>Duration (days)</i>	22	8	55	443	12
Palestinians killed	1,409	167	2,251	306	256
Unarmed Palestinian civilians killed	1,172	87	1,462	236 Males, 12 Females, 58 children	>129
Children killed	348	32	551	58	66
Medical personnel killed				4	at least 2
Disabled killed				12	NA
Press killed				2	NA
Palestinians injured	5,380	5,000	11,231	35,529 (17,581 hospitalized)	2,212
injured children				3,646	610
injured women				1,174	389
injured medical personnel				735	NA
injured press				173	NA
injured disabled persons				21 (9 blind)	NA
Israeli soldiers killed	10	NA	67	0	0
Israeli civilians killed	3	NA	6	0	13 (2 children)
Houses damaged/destroyed in Gaza	14,000	2,174	18,000	0	2,000/15,000
Displaced persons	28,000	10,000	500,000		107,000
People w/out access to tap water	NA	NA	450,000		800,000

*<https://www.moh.gov.ps/portal/israeli-aggression-against-peaceful-return-3-2018-to-6-2019/>

**https://reliefweb.int/sites/reliefweb.int/files/resources/poc_24-31_may_2021.pdf, data from OHCHR and MoH Gaza

NA not available

